

# **Libby Community Advisory Group**

## **Meeting Summary**

### **May 11, 2006**

#### **Introductions**

Gerald Mueller and members of the Libby Community Advisory Group (CAG) introduced themselves. A list of the members in attendance is attached below as Appendix 1.

#### **Agenda**

The CAG agreed to the following agenda for this meeting:

- Agency Reports
  - EPA
  - State
  - TAG
  - CARD
  - Memorial Committee
- Max Dodson Questions
- Public Comment

#### **EPA Report**

Peggy Churchill reported for EPA on the following topics.

Cleanups - During this year, 38 properties have been cleaned. The cumulative total cleaned to date is 616 properties.

Troy High School - Cleanup at the high school will begin in June after the current school year ends.

Max Dodson Visit - Max Dodson, Region 8 Assistant Administrator, will conduct a town hall meeting in Libby in mid-June, perhaps on June 14. He will begin the meeting with some remarks and then will take comments and questions from the meeting attendees.

Proposed Cleanup Plan - EPA intends to issue the proposed plan for the Libby remediation by the end of this year. The Proposed Plan will be mailed to the general mailing list and will be available at the EPA Information Center. After its release, a formal meeting will be held. Comments at the meeting will be transcribed.

Dream It - Do It Seminar - This economic development seminar will be held in Libby on August 14 and 15. Senator Burns and Congressman Rehberg are scheduled to appear.

#### **State Report**

Catherine LeCours, with the Montana Department of Environmental Quality, reported on behalf of the state. She encouraged people to view the draft Troy Asbestos Property Evaluation Work Plan which was provided last month. This plan describes the field and property inspections and sample collection necessary to identify if and where asbestos is present within the Troy Operable Unit and the concentrations and quantity, if present. Comments will be accepted through next month.

*CAG Member Question - Why doesn't EPA do the cleanup in Troy instead of paying the state to do so?*

Answer - EPA has funded the state to prepare the evaluation work plan; no decision has been made about who will conduct the cleanup. The Superfund law requires the state to provide a 10% match for cleanup funding. The state is discussing putting this 10% amount towards the Troy cleanup.

*CAG Member Question - Testing for asbestos contamination is now underway in Troy. Why aren't homes that exceed the cleanup threshold developed for Libby being cleaned now? Why has it taken seven and half years to start?*

Answer - There are many homes in Libby still in need of cleanup. Without more money, initiating cleanup in Troy would have just put more homes on a waiting list.

Answer by Peggy Churchill- Properties in Troy have not yet been screened. The Libby cleanup budget has been limited to \$17 million per year. If sufficient funds had been available, then maybe starting the Troy cleanup would have made sense. Since funding has been limited, we would have had to put more homes on the waiting list if we had started cleanup in Troy.

*CAG Member Comment - The Troy schools should have been on the emergency cleanup list.*

*Audience Member Comment - If the responsible party, W.R. Grace, pays for the cleanup, then no state match is needed, correct?*

Answer - Yes.

*Audience Member Question - Where will cleanup occur, in the entry way to the auditorium?*

Answer - Cleanup will occur in the stage and entry way. It should be noted that air sampling has not detected any asbestos fibers in air of the Troy School.

*Audience Member Question - Will the Troy school cleanup be done right the first time?*

Answer - Yes.

*CAG Member Question - EPA's ultimate intention is for the responsible party to pay for the cleanup. Why doesn't EPA clean to levels to justified by science instead of worrying about funding levels?*

*CAG Member Comment - The science is lagging. The TAG told EPA at the Denver conference in October 2004 that we wanted animal studies done of Libby asbestos toxicity and we wanted carpets removed. EPA has chosen not to spend the money on these tasks.*

## **TAG Report**

Gayla Benefield and Dr. Gerry Henningsen reported on behalf of TAG. Dr. Henningsen stated that the TAG is charged with helping the EPA get responses to the risk assessment which will determine the cleanup levels. The TAG has sent two letters to EPA seeking a stronger risk assessment. These letters:

- Requested earlier involvement by the TAG in ensuring that the assessment assumptions, such as exposure pathways, are realistic;
- Identified data gaps and asked for additional scientific involvement in closing them;

- Asked that the EPA not pursue a final Record of Decision (ROD) now in the absence of information about the toxicity of the Libby amphibole and the sources of contamination; and
- Requested EPA funding to enhance education by paying for travel for Libby community to travel to other Superfund sites;
- Property cleanups;
- Noted confusion about the comfort/completion letters;
- Requested that communication with the community be more effective, consistent, and widespread; and
- Asked that the current EPA Libby team be augmented with more help in all areas.

The TAG feels that EPA is considering its requests and that things are improving. For example, EPA is conducting a monthly teleconference including the TAG technical committee and EPA scientists to discuss data collection needs and quality controls.

*Audience Question - What are the comfort/completion letters?*

Answer - They are letters issued to property owners upon completion of the property cleanup. Some of the terms in the letter are weak or not supportable. EPA is considering revising the letters.

## **CARD Report**

Mike Giesey and Dr. Black reported on behalf of the Clinic for Asbestos Related Disease (CARD). The latest newsletter is out. The Asbestos Health Fair will take place this coming Saturday from 10:00 a.m. to 2:00 p.m. in the Ponderosa Room of Libby City Hall. Blood drawings to support research projects are occurring on some Thursdays at the Clinic. Please call first for an appointment to participate in them. Dr. Whitehouse and Dr. Black made a presentation about asbestos disease progression as shown in x-rays at the Mount Sinai Hospital in New York. They were well-received. Examples of x-rays and disease progression will be published. The Mount Sinai Hospital is conducting screening of workers at the World Trade Center site as well as providing health care to them. The National Institute for Occupational Safety and Health is funding health care for workers exposed to asbestos at the World Trade Center site. This appears to be a precedent that may benefit us here because in the past NIOSH has not funded health care.

*CAG Member Question - Under what authority is NIOSH funding health care?*

Answer - We don't know. This should be investigated.

*Comment by Dr. Henningsen - I formerly worked for NIOSH and am not aware that it funds health care. When three or more workers at a facility so request, NIOSH conducts health hazard evaluations.*

*Audience Member Question - Is the NIOSH funding limited to workers at the World Trade Center site?*

Answer - People who volunteered in the cleanup are considered workers. Dust has still not been removed from people's residences near the site.

*Audience Member Question - Will blood be drawn at the Asbestos Health Fair?*

Answer - No. Please call CARD to make a Thursday appointment if you wish to participate in the blood drawing.

*Audience Member Question - Is CARD referring people to the Libby Asbestos Medical Plan (LAMP) for screening?*

Answer by Tanis Hernandez - Yes. Through LAMP, people can obtain a complete health screening including a spirometry test, a chest x-ray, a PFT, and a CAT scan, and a physician visit. This screen will lead to a diagnosis and a referral to asbestos healthcare benefit plans.

*Audience Member Question - Isn't the LAMP limited to funding screening only for people who live more than 200 miles from a state screening facility?*

Answer by LeRoy Thom - This was the case, but the LAMP Board of Directors voted to drop this criterion. Because I am both President of the LAMP Board and Vice President of the CARD Board, I did not participate in this LAMP Board decision.

*Audience Member Question - Aren't LAMP funds limited? Wouldn't it make sense to refer people to the state MASSA screening?*

Answer - The MASSA screening consists only of the spirometry test and a chest x-ray. Its purpose is a population study, not a health screening. The MASSA screening does not result in a diagnosis. The CARD screening does.

## **Memorial Committee Report**

Gary Swenson reported that last weekend, the committee began construction of the memorial to asbestos victims. Volunteers will be needed again this weekend for additional work. Please come at 9:00 a.m.

*Audience Member Question - Will volunteers be needed at subsequent weekends?*

Answer - Yes.

*Audience Member Question - How are you planning to get the word out about this need?*

Answer - We will try to get notices in the newspaper.

## **Max Dodson Questions**

Gayla Benefield asked that the CAG develop questions that might be provided to Mr. Dodson prior to his June town meeting. CAG and audience members suggested question topics and directed that the CAG facilitator draft questions from them. Mr. Mueller agreed to do so and stated that he would circulate the draft questions to the CAG and the other CAG email and mailing lists so that people could review the draft and make necessary changes to it and to add additional questions. Mr. Mueller agreed to circulate the draft by early next week and request prompt responses so that the final version of the questions can be supplied to Mr. Dodson on or before June 5. Mr. Mueller's draft of the questions circulated for review is attached below in Appendix 2.

## **Public Comment**

*Audience Member Question - At the end of the last CAG meeting, Gayla Benefield reported that she had been contacted by telephone by a representative of a group wishing to do some sort of study. The person offered cash for an interview. Ms. Benefield asked if anyone else receive a similar contact. Did anyone report a contact to Ms. Benefield?*

Answer by Ms. Benefield - No.

*Audience Member Comment - My property has been cleaned, but in spite of repeated visits by EPA, I am not satisfied. We need the cleanups to be done right the first time.*

*Response by Peggy Churchill - That sounds like an issue that could be raised during Max Dodson's visit in June*

*Audience Member Comment - The Superfund law does not require EPA to do a complete cleanup, only to make an improvement.*

*Comment by Gerry Henningsen - EPA conducts cleanups under the Superfund law in two phases. The first removes imminent and substantial health threats. In the second phase, a long-term cleanup is designed based on scientifically based risk assessments of exposure pathways and toxicology. The second phase includes cost-benefit analysis and may not remove all contaminants.*  
*Response by Peggy Churchill - Dr. Henningsen does not speak for EPA.*

*Comment by Commissioner Rita Windom - I hear from people who are both satisfied and dissatisfied by the cleanup of their properties. Not everyone is dissatisfied; I suspect that, based on my contacts with people in Libby, that the majority are satisfied. It is important for us not to dwell on the negative. Negative publicity is hurting our community. For example, I recently heard that the president of a horse show traditionally held in connection with Libby Nordic Days has decided that he will not risk himself or his horse in Libby.*

*Audience Member Comment - The remedy for such publicity is to demand that EPA get the cleanup finished right the first time.*

*Comment by Dr. Black - There is no reason for people to believe that they will be harmed by breathing the air in Libby today. Problems arise when people come in contact with contamination. This is why EPA is cleaning our homes and properties. There are still things that we do not know that we need to know. The toxicity of our asbestos fiber needs more scientific study. We all need to get on board together to support getting the science done. We don't need antagonism. We need to develop the trust with EPA that our concerns will be satisfied.*

## **Future Meetings**

The next meeting is scheduled for 7:00 to 9:00 p.m. on June 15, 2006 in the Ponderosa Room of Libby City Hall. The future meeting schedule includes: July 20 and August 10.

**Appendix 1**  
**CAG Member & Guest Attendance List**  
**May 11, 2006**

**Members**

Dr. Brad Black  
Bill Patton  
Mike Giesey  
Ted Linnert  
Peggy Churchill  
Catherine LeCours  
LeRoy Thom  
Gayla Benefield  
Eileen Carney  
Gary Swenson  
David Latham

**Group/Organization Represented**

Libby County Health Officer/CARD  
St. John's Lutheran Hospital  
CARD  
EPA-Denver  
EPA Project Manager  
DEQ  
LAMP  
LCAVRO/TAG  
Montana State Board of Respiratory Care  
Libby Volunteer Fire Department  
*The Montanian Newspaper*

## **Appendix 2**

### **Questions for Max Dodson EPA Region 8 Assistant Administrator Libby Community Advisory Group**

May 13, 2006

#### Property Cleanups

1. In what percentage of the properties cleaned to date do the property owners have continuing difficulties?
2. How many properties cleaned to date have had post-cleanup sampling?
3. Is the post-property cleanup sampling done by an independent entity?
4. Does EPA guarantee that property cleanups will be done right?
5. Areas of a contaminated property designated as non-use are not cleaned. How are these designations made?
6. Isn't it cost-effective to clean all contamination the first time rather than leaving some and have to come back later to remove it?
6. How can the community guide EPA's property restoration efforts?
7. Is EPA aware that the community's confidence in the property cleanups is lagging?
8. What is EPA doing to restore community confidence?
9. Would EPA support the formation of a cleanup support group, i.e., a group of people to meet and discuss property cleanup issues?
10. Of the 616 properties cleaned to date, how many have completed the post-cleanup survey?
11. What is the average per property cost of cleanup?
12. Shouldn't there be a penalty for EPA for missing cleanup deadlines?

#### Troy

1. Why hasn't the cleanup of the Troy schools been conducted under the emergency response authority?

#### Mine and Mill Site

1. The mine, mill and tailings are open to the elements. Why isn't it being cleaned now?

#### Libby Asbestos Toxicity

1. Why hasn't animal laboratory testing been done to establish the toxicity of Libby tremolite asbestos?

#### Economic Impact

1. Would EPA please publish amount of money it has spent within the city, the county, and surrounding area?"
2. What is EPA present payroll in Libby?